



**South Carolina Department Of Health
And Environmental Control**

NPDES GENERAL PERMIT

For

VEHICLE WASH WATER DISCHARGES

This permit authorizes vehicle wash water discharges to the environment including waters of the State of South Carolina in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I through X hereof. This permit is issued in accordance with the provisions of the Pollution Control Act (S. C. Code Sections 48-1-10 *et seq.*, 1976) and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 *et seq.*, the "CWA."

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PREFACE

The CWA provides that discharges from a point source including discharges through a municipal separate storm sewer system to waters of the United States are unlawful, unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit.

Part I. DEFINITIONS

- A. "10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable recurrence interval of once in 10 years.
- B. "Arithmetic Mean" for any set of values means the summation of the individual values divided by the number of individual values.
- C. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- D. "Biodegradable" means capable of being decomposed by natural biological process.
- E. "CFEVWF" means commercial, fixed, external, vehicle washing facility.
- F. "Commercial facilities" means facilities that are engaged in vehicle washing for direct (payment for wash or use of wash equipment) profit.
- G. "Composite Sample" means one of the following four types of composite samples as defined and specified within this permit:
 - (1) An influent or effluent portion collected continuously over a specified period of time at a rate proportional to the flow.
 - (2) A combination of not less than 8 influent or effluent grab samples collected at regular (equal) intervals over a specified period of time, properly preserved (see part IV.G), and composited by increasing the volume of each aliquot in proportion to flow. If continuous flow measurement is not used to composite in proportion to flow, the following method will be used: Take an instantaneous flow measurement each time a grab sample is collected. At the end of the sampling period, sum the instantaneous flow measurements to obtain a total flow to determine the partial amount (percentage) of each grab sample to be combined to obtain the composite sample.
 - (3) A combination of not less than 8 influent or effluent grab samples of equal volume but at variable time intervals that are inversely proportional to the volume of the flow. That is, the time interval between aliquots is reduced as the volume of flow increases.
 - (4) A combination of not less than 8 influent or effluent grab samples of constant (equal) volume collected at regular (equal) time intervals over a specified period of time, while being properly preserved.

Continuous flow or the sum of instantaneous flows measured and averaged for the specified compositing time shall be used with composite sample results to calculate quantity.

- H. "Construction Equipment" includes, but is not limited to, trenchers, backhoes, boring equipment, bulldozers and any other piece of earth moving equipment, equipment used in the paving industry, and dump trucks.
- I. "CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.
- J. "Daily maximum" means the highest average value recorded of samples collected on any single day during the calendar month.
- K. "Department" means the South Carolina Department of Health and Environmental Control or an authorized representative.
- L. "DMR" means a Discharge Monitoring Report
- M. "Director" means the EPA Regional Administrator or an authorized representative.
- N. "EPA" means the Environmental Protection Agency.
- O. "External washing" means washing of all surfaces other than the inside of trailers, tankers and the flat beds of trucks where goods are transported or the inside of engine compartments.
- P. "Facility or activity" means any NPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.
- Q. "Fixed" means stationary at one facility location.
- R. "Fleet operation" means a group of vehicles located at one site, owned or operated as a unit.
- S. "Freshwater" means any freshwater as defined by Regulation 61-68 and classified by Regulation 61-69.
- T. "Grab Sample" means an individual discrete or single influent or effluent portion of at least 100 milliliters collected at a time representative of the discharge and over a period not exceeding 15 minutes and retained separately for analysis. Where a number of grab samples are to form a composite, instantaneous flow measured at the time of grab sample collection shall be used to calculate quantity.
- U. "MGD" means million gallons per day.
- V. "Monthly average", other than for fecal coliform, means the arithmetic mean of all samples collected in a calendar month. The monthly average for fecal coliform bacteria is the geometric mean of all samples collected in a calendar month. The monthly average loading is the arithmetic average of all individual loading determinations made during the month.

- W. "NOI" means Notice of Intent to be covered by this permit (see Part III of this permit.)
- X. "NOT" means Notice of Termination (see Part VII of this permit.)
- Y. "Outfall" or "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agricultural or agricultural storm water runoff.
- Z. "Permittee" means any individual to whom this permit has been issued.
- AA. "Quarterly" means based on calendar quarters: January-March, April-June, July-September, and October-December.
- BB. "Saltwater" means any tidal saltwater defined as Class SA, SB or Shellfish Harvesting (SFH) by Regulation 61-68 and classified by Regulation 61-69.
- CC. "Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
- DD. "Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).
- EE. "Storm Water" means storm water runoff, snowmelt runoff, and surface runoff and drainage.
- FF. "Tank Truck" means a motor driven vehicle with a completely enclosed storage vessel used to transport liquid, solid or gaseous materials over roads and highways. The storage vessel or tank may be detachable, as with tank trailers, or permanently attached. The commodities or cargos transported come in direct contact with the tank interior. A tank truck may have one or more storage compartments. There are no maximum or minimum vessel or tank volumes. Tank trucks are also commonly referred to as cargo tanks or tankers.
- GG. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with the numeric effluent limitations of Part X of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent cause by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- HH. "Vehicles" includes, but is not limited to, automobiles, trucks (except below), motor homes, buses, motorcycles, ambulances, firetrucks, and other devices that convey passengers and/or goods on streets or highways. It does not include tank trucks, garbage trucks, logging trucks, trucks used in transporting livestock, construction equipment, boats or aircraft.

- II. "Waters of South Carolina" means all waters of the United States within the political boundaries of the State of South Carolina.
- JJ. "Waters of the United States" means:
- (a) all waters, which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;
 - (b) All interstate waters, including interstate "wetlands";
 - (c) All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, wetlands, sloughs, wet meadows, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - 1. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
 - 2. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 - 3. Which are used or could be used for industrial purposes by industries in interstate commerce;
 - (d) All impoundments of waters otherwise defined as waters of South Carolina under this definition.
 - (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
 - (f) The territorial sea; and
 - (g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of South Carolina. This exclusion applies only to manmade bodies of water, which neither were originally created in waters of South Carolina (such as disposal areas in wetlands) nor resulted from the impoundment of waters of South Carolina.

Part II. COVERAGE UNDER THIS PERMIT

A. **Permit Area.** The permit covers all areas of South Carolina.

B. **Eligibility.**

- 1. This permit may cover all new and existing point source discharges to land or waterways of South Carolina, as identified in this section below, except for discharges identified under

paragraph II.B.3.

- a. Types of wastewater permitted: This permit authorizes the discharge of 10,000 gallons per day (gpd) or less of wastewater from the following types of operations as further specified in this permit:
 - (1) Commercial, fixed, exterior, vehicle washing facilities (CFEVWF) which discharge to a waterway or the land.
 - (2) Fixed, exterior, vehicle washes which discharge to a waterway or the land. Examples of fixed exterior facilities include, but are not limited to: car dealerships, car rental agencies, transportation facilities, fleet operations, etc.
 - (3) Mobile washing of vehicle exteriors which discharge to a waterway or the land. The mobile washer, not the property owner, has coverage in this case. However, in the case of washing a fleet of vehicles, the owner/operator of the fleet must obtain coverage.
 - (4) Wash water that is 100% recycled - no discharge.
 - b. A discharger covered under this permit who intends to increase the discharge of any of the types of wastewater permitted hereunder to a flow rate greater than is authorized under this permit must apply for and obtain an individual permit for such discharge before increasing the flow rate.
2. This permit may authorize vehicle wash water discharges that are mixed with other discharges provided that the other discharges are in compliance with the terms, including applicable NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.
 3. Limitations on Coverage. Although this general permit does not cover the following types of washing activities, other permits such as an individual NPDES permit or approval from the Department may be required. This permit does not authorize the following vehicle wash water discharges:
 - a. Vehicle wash water discharges that are mixed with other types of wastewater unless those wastewater discharges are in compliance with a different NPDES permit;
 - b. Vehicle wash water discharges that are subject to an existing NPDES individual permit; are located at a facility where an NPDES permit has been terminated or denied; or which are issued a permit in accordance with paragraph V.M (Requirements for Individual or Alternative General Permits) of this permit. Such discharges may be authorized under this permit after an existing permit expires or is canceled;
 - c. Pressure washing or steam cleaning of engines or parts is prohibited under this General Permit. These activities require an individual NPDES permit and construction permit be obtained;

- d. Vehicle washing using chemicals of any type or detergents, which are not readily biodegradable (Note that mild acidic cleansers may be used if readily biodegradable, but are not allowed to cause violations of pH limits);
- e. Vehicle wash water discharges that the Department has determined to be or which may reasonably be expected to be contributing to a violation of a water quality standard;
- f. Vehicle wash water discharges that would adversely effect a listed endangered or threatened species or its critical habitat;
- g. Wash water that is discharged to a permitted public sewer, sanitary sewer, septic tank, or tile field. Other permits may apply for these discharges;
- h. Wash water from washing aircraft of any kind;
- i. Discharge of wash water from golf course equipment that discharges to surface water;
- j. Discharge of wash water from washing the exterior of tank trucks of any kind;
- k. Wash water from garbage trucks, logging trucks, livestock trucks and construction equipment;
- l. Vehicle wash water discharges to Outstanding Resource Waters (ORW) and Trout Waters (TN, TPGT and TPT);
- m. Wash water discharges, which are categorically limited such as, lead battery transport truck wash water (40 CFR 461) and Transportation Equipment Cleaning (40 CFR 442).
- n. Construction equipment wash water which discharges to an on site erosion control facility are authorized, provided the site is covered by NPDES General Permit for Storm Water Discharges from Construction Activities That Are Classified As "Associated with Industrial Activity" by EPA Regulation. The site must meet the requirements of construction-related storm water permit coverage. The washing activities shall be incorporated into the Storm water Pollution Prevention Plan required by that permit. All other discharges of construction equipment wash water are not authorized under this General permit.

C. **Authorization.**

- 1. The facilities listed in Part II.B.1.a.1 and 2 must submit a complete Vehicle Wash Water General Permit Notice of Intent (NOI) in accordance with the requirements of Part III of this permit at least 60 days prior to the commencement of the vehicle washing activities at the facility. A new discharger of vehicle wash water is authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage. See Part IV.B for a list of facilities not required to submit an

NOI nor conduct sampling.

2. The Department may determine that an individual permit application for a proposed vehicle wash facility qualifies for coverage under this permit. Discharges for which individual permit applications have been submitted are authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage. The Department may require additional information from the permit applicant to determine appropriate permit conditions.
3. Unless notified by the Department to the contrary, owners or operators who submit notification under C.1 above after the effective date of this permit are authorized to discharge vehicle wash water under the terms and conditions of this permit 60 days after the date that the NOI is postmarked.
4. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

D. Continuation of Expired General Permit

This permit expires on the date stated on the first page of the permit. However, an expired general permit continues in force and effect until a new general permit is issued. Coverage under this permit continues in force and effect only if the conditions in Part II.E below are satisfied.

E. Duty to Reapply

1. Permittees must submit an NOI in accordance with the requirements of Part III of this permit at least 180 days prior to the permit expiration date (unless an extension has been granted) to remain covered under the continued permit after expiration. The completed NOI should be submitted to the Department at the address in Part III.B.
2. Permittees who submit NOIs less than 9 months from permit expiration and obtain coverage during that time are automatically considered covered under the continued permit after expiration.
3. An NOI submitted in accordance with E.1 or E.2 above will be used to determine coverage under the new General Permit when this permit is reissued. The Department may, at the time of permit reissuance, require additional information to be submitted based on changes in the reissued general permit.

Part III. NOTICE OF INTENT REQUIREMENTS

A. Contents of Notice of Intent. The Notice of Intent shall be signed in accordance with Part V.F of this permit and shall include the following information:

1. Name, mailing address, location of the facility for which the notification is submitted and location of the outfall(s) stated as latitude and longitude to the nearest 15 seconds.
2. Up to four 4-digit Standard Industrial Classification (SIC) codes that best represent the

principal products or activities provided by the facility; or for hazardous waste treatment, storage or disposal facilities, land disposal facilities that receive or have received any industrial waste, steam electric power generating facilities, or treatment works treating domestic sewage, a narrative identification of those activities;

3. The operator's name, address, telephone number, and status as Federal, State, private, public or other entity;
4. The permit number of additional NPDES permits for any discharges (including non-utility water discharges) from the site that are currently, or have been previously, authorized by an NPDES permit;
5. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the receiving water(s) for the discharge through the municipal separate storm sewer;
6. Information related to the quality and quantity of wastewater to be discharged;
7. A statement that easements for the discharge of vehicle wash water have been obtained by the permittee for any conveyances of the discharge not on property of the permittee and which do not constitute waters of the State;
8. A map indicating facility and discharge locations.

- B. **Where to Submit.** Designated facilities which discharge vehicle wash water must use the appropriate NOI form provided by the Department (or photocopy thereof). Forms are also available by calling (803) 898-4300. Forms can also be downloaded from the Department's website (www.scdhec.net). NOIs must be signed in accordance with Part V.G (Signatory Requirements) of this permit. NOIs are to be submitted to the Department at the following address:

S.C. Dept. of Health and Environmental Control
Bureau of Water
NPDES/ND Permit Administration
2600 Bull Street
Columbia, SC 29201

- C. **Individual Applications.** Any applicant/facility that has previously filed an individual application and has not received an NPDES permit can receive coverage under this general permit. To do so, a letter may be sent to the Department requesting coverage in lieu of an individual permit.
- D. **Transfer of Ownership or Control.** This general permit is not transferable. The new owner/operator shall submit an NOI in accordance with Part II.C at least 30 days in advance of the proposed transfer of ownership/control. Upon notification of coverage to the new permittee, the existing permittee may request termination by submission of a Notice of Termination in accordance with Part VII if this permit.

Part IV. MONITORING AND REPORTING REQUIREMENTS

A. **Facilities Required to Monitor.** Facilities with the following discharges covered by this permit are required to submit an NOI and conduct sampling and report the data from their vehicle wash water discharges:

1. Commercial, fixed, exterior vehicle washing facilities (CFEVWF) which discharge to a waterway or the land; and
2. Fixed, exterior, vehicle washing facilities which discharges to a waterway or the land. Fixed, exterior facilities include, but are not limited to the following: car rental agencies, car dealerships, transportation facilities, distribution facilities, and fleet operations.

B. **Facilities Not Required to Monitor.** Facilities with the following discharges are covered by this permit, but are not required to submit an NOI. The following facilities are also not required to conduct sampling and report the data from their vehicle wash water discharges:

1. Mobile washing of vehicle exteriors which discharge to a waterway or the land;
2. Any facility/individual which discharges less than 1,000 gallons per day of vehicle wash water;
3. Charitable organizations conducting one-time car washes for fundraising purposes;
4. Golf courses that discharge to the land; and
5. 100% recycle wash water systems.

C. **Representative Discharge.**

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. When a facility has two or more outfalls that the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one such outfall and report that the quantitative data also applies to the substantially identical outfall(s). Permittees shall include a description of the location of the outfalls and an explanation of why outfalls are expected to discharge substantially identical effluents with the Discharge Monitoring Report(s).
3. The permittee shall provide an adequate sampling location for collection of samples representative of the discharge flow.

D. **Discharge Flow Measurement.** The permittee shall maintain at the permitted facility a record of the method(s) used in "estimating" the discharge flow (e.g., pump curves, production charts, water use records, etc.). Records of any necessary calibrations must also be kept. This information shall be made available to Department personnel visiting the site during normal working hours.

E. **Reporting**

1. The permittee (see Part IV.A. above) must submit monitoring results obtained during each reporting period running from June to May on Discharge Monitoring Report Form(s) postmarked no later than the 28th day of the following June. The data may be written on a photocopy of the original DMR form.
2. Signed copies of required discharge monitoring reports, individual permit applications, and all other reports required herein shall be submitted to the Department at the following address:

SC Dept. of Health and Environmental Control
Bureau of Water/ Water Enforcement Division
2600 Bull Street
Columbia, SC 29201

- F. **Additional Monitoring by the Permittee.** If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified herein, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Additional or accelerated monitoring may be required to determine the nature and impact of a non-complying discharge on the environment or to determine if a single non-complying sample is representative of the long-term condition (yearly average).

G. **Retention of Records.**

1. The permittee shall retain the BMP plan developed in accordance with this permit until at least three years after coverage under this permit, or any reissuance of this permit, terminates.
2. Permittees are required to retain for a three-year period from the date of sample collection or for the term of this permit, whichever is greater, records of all monitoring information collected during the term of this permit. Permittees must submit such monitoring results to the Department upon the request of the Department.

- H. **Procedures for Monitoring.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 and S.C. Environmental Laboratory Certification Regulation 61-81.

I. **Records Content.** Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The initials or name(s) of the individual(s) who performed the sampling or measurements;
3. The date(s) analyses were performed;

4. The time(s) analyses were initiated;
5. The initials or name(s) of the individual(s) who performed the analyses;
6. References and written procedures, when available, for the analytical techniques or methods used; and
7. The results of such analyses, including the bench sheets, instrument readouts, computer disks, or tapes, etc., used to determine these results.

J. **Availability of Reports.** Except for data determined to be confidential under Section 48-1-270 of the S.C. Pollution Control Act, all reports prepared in accordance with the terms and conditions of this permit shall be available upon request for public inspection at the offices of the Department. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 48-1-340 of the S.C. Pollution Control Act.

Part V. STANDARD PERMIT CONDITIONS

A. Duty to Comply.

1. All permittees must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and the S.C. Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit-renewal application.
2. **Penalties for Violations of Permit Conditions.**
 - a. Any person who violates a term or condition contained within this permit is subject to the actions defined by Sections 48-1-320 and 48-1-330 of the S.C. Pollution Control Act.
 - b. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for non-compliance.
 - c. It is the responsibility of all permittees to meet the effluent limitations of this permit. The approval of plans and specifications for any wastewater facilities by the Department does not relieve the permittee of responsibility for compliance.

B. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

C. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment.

D. **Duty to Provide Information.** The permittee shall furnish to the Department, within a time specified by the Department, any information, which the Department may request to determine

compliance with this permit. The permittee shall also furnish to the Department upon request copies of records required by this permit.

E. **Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Department, he or she shall promptly submit such facts or information. Any changes in facility name, contact person, and/or changes in discharge or additional discharges shall be submitted in a revised NOI to the address in Part III.B.

F. **Signatory Requirements.** All Notices of Intent, Notices of Termination, Best Management Practices plans, reports, certifications or information either submitted to the Department, or that this permit requires be maintained by the permittee, shall be signed.

1. All Notices of Intent shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

- (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (2) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. All reports required by the permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described above and submitted to the Department.

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named

individual or any individual occupying a named position).

- c. Changes to authorization. If an authorization under Part V.F.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.F.2 must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- G. **False Statements, Representations or Certifications; Falsifying, Tampering with, or Rendering Inaccurate Monitoring Devices or Methods.** Section 48-1-340 of the S.C. Pollution Control Act provides that any person who knowingly makes any false statement, representation, or certification in an application, record, report, plan or other document filed or required to be maintained under this permit or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained by this permit, shall be subject to the civil or criminal provisions of Sections 48-1-320 and 48-1-330 of the S.C. Pollution Control Act.
- H. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the CWA, Section 106 of CERCLA, the S.C. Pollution Control Act, or applicable provisions of the S.C. Hazardous Waste Management Act and the S.C. Oil and Gas Act.
- I. **Changes in Discharges of Toxic Pollutants or Hazardous Substances**

1. The permittee shall notify the Department as soon as it knows or has reason to believe that any activity has occurred or will occur which would result in the discharge in any outfall of:
 - a. Any toxic pollutant(s) identified under Section 307(a) of the CWA which exceed the highest of the following concentrations and are not limited in the permit.
 - 1 mg/l for antimony (Sb);
 - 0.500 mg/l for 2,4-dinitrophenol or 2-methyl, -4,6-dinitrophenol;
 - 0.200 mg/l for acrolein or acrylonitrile;
 - 0.100 mg/l for any other toxic pollutant; or,Five (5) times the maximum concentration value reported in the permit application.

- b. That any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of any toxic pollutant not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - 1 mg/l for antimony (Sb);
 - 0.500 mg/l for any other toxic pollutant; or,
 - Ten (10) times the maximum concentration value reported for a pollutant in the permit application.
 - c. Any hazardous substance(s) identified under Section 311 of the CWA as determined by Federal Regulation 40 CFR 117 that has been discharged.
 2. The permittee must notify the Department as soon as it knows or has reason to believe that it has begun or expects to begin to use or manufacture as an intermediate or final product or by-product any toxic pollutant or hazardous substance which was not reported in the permit application.
- J. **Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- K. **Onshore and Offshore Construction.** This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.
- L. **Requiring an Individual Permit or an Alternative General Permit.**
 1. The Department may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Department to take action under this paragraph. The Department may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the address shown in Part III.B (Reporting: Where to Submit) of this permit. The Department may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Department, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.
 2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (Form 1 and Form 2C, 2D, or 2E, as appropriate) with reasons supporting the request to the Department. Individual permit applications shall be submitted to the address in Part III.B of this permit. The request may be granted by the

issuance of an individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.

3. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Department.

M. **State/Environmental Laws.**

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the CWA.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

- N. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of Best Management Practices plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

- O. **Inspection and Entry.** The permittee shall allow the Director or an authorized representative of EPA or the Department, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

P. **Permit Actions.**

1. The permittee shall furnish to the Department within a reasonable time any relevant information, which the Department may request to determine whether cause exists for

revoking coverage and reissuing another permit or terminating the certificate of coverage under the general permit, or to determine compliance with the general permit.

2. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Q. **Change in Discharge.** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any planned facility expansions, production increases, or process modifications which will result in a new or different discharge of pollutants must be reported by submission of a individual NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department of such changes. Following such notice, the permittee may be required to obtain an individual NPDES Permit for the discharge.

R. **Area wide Water Quality Management Plan Conformance.** All discharges given coverage under this permit are in compliance with the appropriate Area wide Water Quality Management Plan prepared pursuant to Section 208 of the CWA.

S. **Bypassing.** Any intentional diversion from or bypass of waste streams from any portion of wastewater collection or treatment facilities which is not a designed or established operating mode for the facility is prohibited except,

1. where unavoidable to prevent loss of life, personal injury, or severe property damage; or
2. where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit and there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities or retention of untreated wastes.

"Severe property damage" does not mean economic loss caused by delays in production.

T. **Twenty-Four Hour Non-Compliance Reporting.**

1. The permittee shall report any non-compliance with provisions specified in this permit, which may endanger public health or the environment. The permittee shall notify the Department orally within 24 hours of becoming aware of such conditions. During normal working hours call **803/898-4300**. After-hour reporting should be made to the 24-hour Emergency Response telephone number **803/253-6488**. The permittee shall provide the following information to the Department in writing, within five (5) days of becoming aware of such conditions:
 - a. A description of the discharge and cause of non-compliance; and,
 - b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue,

and steps being taken to reduce, eliminate and prevent recurrence of the non-complying discharge.

2. The following violations shall be included in a 24-hour report when they might endanger health or the environment:
 - a. An unanticipated bypass which exceeds any effluent limitation in this permit;
 - b. Any upset which exceeds any effluent limitation in the permit.
3. As soon as the permittee has knowledge of or anticipates the need for a bypass, but not later than 10 days before the date of the bypass, it shall notify the Department and provide a determination of the need for bypass as well as the anticipated quality, quantity, duration, and effect of the bypass.

- U. **Removed Substances.** Solids, sludges, filter backwash, or other residuals removed in the course of treatment or control of wastewaters shall be disposed of in a manner so as to prevent such materials from entering State waters and in accordance with guidelines issued pursuant to Section 405 of the CWA, and the terms of a construction or NPDES and/or solid or hazardous waste permit issued by the Department.
- V. **Chemical Addition.** Approval from the Department must be obtained prior to chemical addition to maintain compliance with the NPDES permit. A determination will be made by the Department as to whether the discharge can still be covered under the general permit. The discharge of chemicals into the wastewater for reasons other than maintaining compliance with the NPDES permit will be considered process wastewater and will need to be covered under an individual permit or if available, an alternative general permit.

Part VI. REOPENER CLAUSE.

- A. If there is evidence indicating potential or realized impacts on water quality due to any vehicle wash water discharge covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or an alternative general permit in accordance with Part V.M (Requiring an Individual Permit or Alternative General Permit) of this permit or the permit may be modified to include different limitations and/or requirements.
- B. Permit modification or revocation of coverage will be conducted according to S.C. Pollution Control Act and S.C. Regulation 61-9.

Part VII. TERMINATION OF COVERAGE

- A. **Notice of Termination.** Where all vehicle wash water discharges that are authorized by this permit are eliminated or where a facility's operation changes as to reclassify it under another type of eligible operation (Part II.B.1.a.), the operator of the facility shall submit a Notice of Termination that is signed in accordance with Part V.F (Signatory Requirements) of this permit. The Notice of Termination shall include the following information:
1. Name, mailing address, and location of the facility for which the notification is submitted.

Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the facility to the nearest 15 seconds that the facility is located in;

2. Up to four 4-digit SIC codes that best represent the principal products or activities provided by the facility;
3. The operator's name, address, telephone number, ownership status and status as Federal, State, private, public or other entity;
4. The NPDES permit number for the vehicle wash water discharge identified by the Notice of Termination;
5. The reason(s) for termination; and
6. The NOT must be signed in accordance with Part V.F of this permit.

B. **Where to Submit.** All Notices of Termination are to be sent to the following address:

SC Dept. of Health and Environmental Control
Bureau of Water
NPDES/ND Permit Administration
2600 Bull Street
Columbia, SC 29201

Part VIII. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

Part IX. SPECIAL CONDITIONS

- A. **Prohibition on Non-Vehicle Wash Water Discharges.** All discharges covered by this permit shall be composed entirely of vehicle wash water, except discharges of material other than vehicle wash water, which are in compliance with an NPDES permit (other than this permit) issued for the discharge.
- B. **Releases in Excess of Reportable Quantities.**
 1. The discharge of hazardous substances or oil in the discharge(s) from a facility shall be prevented or minimized in accordance with the applicable BMP plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. Where a release containing a hazardous substance in an amount equal to or in excess of reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:
 - a. The discharger is required to notify both the Department's Emergency Response Section at **(803) 253-6488** and the National Response Center (NRC) **(800-424-**

8802) in accordance with the requirements of 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;

- b. The permittee shall submit within 14 calendar days of knowledge of the release a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with Part IX.B.1.c (below) of this permit to both:

Emergency Response Section
SC Dept. of Health and Environmental Control
2600 Bull Street
Columbia, S.C. 29201; and

EPA Region IV
61 Forsyth Street SW
Atlanta, Ga. 30303-3104

- c. The BMP plan, if required under this permit, must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.
2. Spills. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

C. **Best Management Practices Plan.** The Best Management Practices (BMP) Plan requirement is applicable to dischargers with ancillary industrial activities who use, store, manufacture, handle or discharge any pollutant listed as toxic under section 307(a) of the CWA or any pollutant listed as hazardous under section 311 of the CWA. These dischargers are subject to the requirements of this part for all activities, which may result in significant amounts of those pollutants reaching waters of the State. Where these conditions are satisfied:

1. The permittee shall develop and implement a Best Management Practices (BMP) Plan, or update and maintain an existing plan, to identify and control the discharge of significant amounts of oils and the hazardous and toxic substances listed in 40 CFR Part 117 and Tables II and III of Appendix D to 40 CFR Part 122. The plan shall include a listing of all potential sources of spills or leaks of these materials, a method for containment, a description of training, inspection and security procedures, and emergency response measures to be taken in the event of a discharge to surface waters, or it shall include plans and/or procedures which constitute an equivalent BMP. Sources of such discharges may include materials storage areas; in-plant transfer, process and material handling areas; loading and unloading operations; plant site runoff; and sludge and waste disposal areas. The BMP plan shall be developed in accordance with good engineering practices, shall be documented in narrative form, and shall include any necessary plot plans, drawings, or maps.
2. Where no previous permit issued for the site has required a BMP plan, the BMP plan shall be developed no later than six months after the effective date of coverage of this permit, and shall be implemented no later than one year after the effective date of coverage of this

permit. Where a plan has been required under a previous permit to the facility and after implementation of a plan, appropriate changes to the plan shall be developed and implemented before facility changes are put into operation.

3. The BMP plan shall be maintained at the plant site and shall be available for inspection by U.S. EPA and Department personnel.

D. **pH Variance for Streams**

If the pH of the receiving stream is less than 6.0 standard units, the discharge pH may be less than 6.0 standard units only if the discharge pH is not less than the stream pH by a difference of more than 0.2 standard units. Example: If the stream pH is 5.5, the discharge pH must be between 5.3 and 8.5. The difference between the stream pH (5.5) and the discharge pH (5.3) is 0.2. This variance will be granted only if the stream pH is analyzed on the day of the discharge, the results satisfy the above conditions, and the results are submitted with the DMR forms (if applicable) in accordance with Section IV.D.

E. **Conditions Applicable to All Permitted Discharges.**

1. The occurrence of a problem in the receiving water body or waterway may be a basis to terminate coverage under the general permit, require an individual permit, and/or take enforcement action.
2. The quantity of soap, detergent, or other chemical used, and the discharge of wash water containing soaps, detergents, or other chemicals to surface waters, shall be minimized as much as practicable.
3. When discharging to surface waters, the use of detergents or cleaners containing phosphate is prohibited in accordance with S.C. Code of Laws 44-53-50.
4. Discharge of concentrated oil, such as from oil changing, is prohibited.
5. This permit does not supersede the municipal ordinances for the purpose of controlling storm water discharge quality regulating activities permitted herein.
6. There shall be no discharge of floating solids or visible foam in other than trace amounts, nor shall the effluent cause a visible sheen on the receiving waters.
7. All permittees covered under this general permit need not apply to this Department for a Construction Permit for added or existing treatment systems (such as an oil/water separator). Permittees who are required to monitor and submit results for their discharge must meet the effluent limitations, whether treatment is used or not.

Part X. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Freshwater (FW)

During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from the Outfall 001: Vehicle Wash Water.

Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u> (mg/l unless specified otherwise)			<u>MONITORING REQUIREMENTS</u>	
	<u>Yearly Minimum</u>	<u>Yearly Average</u>	<u>Yearly Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (mgd)	-	MR ¹	0.01 MGD ²	1/Quarter	Estimate or Instantaneous
pH ³ (s.u.) ⁴	6.0	-	8.5	1/Quarter	Grab
Oil and Grease	-	10	15	1/Quarter	Grab
Total Suspended Solids	-	30	60	1/Quarter	Grab
Surfactants ⁵	-	MR	MR	1/Quarter	Grab

¹ MR = Monitor and Report

² Discharge flow is not to exceed a total of 0.010 MGD for all covered outfalls to a particular water body on any day.

³ See Section IX.D.

⁴ s.u. = Standard Units

⁵ Monitoring for surfactants required if surfactants are used in the washing process.

- a. There shall be no discharge of floating solids or visible foam in other than trace amounts, nor shall the effluent cause a visible sheen on the receiving waters.
- b. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): at each monitored outfall.
- c. If a site has multiple discharge points, only one representative (see Part IV.C) outfall need be sampled for adherence to the above limitation.

B. Saltwater (SFH, SA & SB)

During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from the Outfall 002: Vehicle Wash Water.

Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u> (mg/l unless specified otherwise)			<u>MONITORING REQUIREMENTS</u>	
	<u>Yearly Minimum</u>	<u>Yearly Average</u>	<u>Yearly Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (mgd)	-	MR ¹	0.01 MGD ²	1/Quarter	Estimate or Instantaneous
pH ³ (s.u.) ⁴	6.5	-	8.5	1/Quarter	Grab
Oil and Grease	-	10	15	1/Quarter	Grab
Total Suspended Solids	-	30	60	1/Quarter	Grab
Surfactants ⁵	-	MR	MR	1/Quarter	Grab

¹ MR = Monitor and Report

² Discharge flow is not to exceed a total of 0.010 MGD for all covered outfalls to a particular water body on any day.

³ See Section IX.D.

⁴ s.u. = Standard Units

⁵ Monitoring for surfactants required if surfactants are used in the washing process.

- a. There shall be no discharge of floating solids or visible foam in other than trace amounts, nor shall the effluent cause a visible sheen on the receiving waters.
- b. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): at each monitored outfall.
- c. If a site has multiple discharge points, only one representative (see Part IV.C) outfall need be sampled for adherence to the above limitation.

**South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201**

FACT SHEET

**APPLICATION FOR
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE VEHICLE WASH WATERS
TO STATE WATERS**

Application No. SCG750000

Date: February 6, 2001

1. SYNOPSIS OF APPLICATION

a. Name of Applicant

This permit authorizes the discharge of 10,000 gallons per day or less of wastewater from the following types of operations as further specified in this permit.

- (1) Commercial, fixed, exterior, vehicle washing facilities (CFEVWF) which discharge to a waterway or the land.
- (2) Fixed, exterior, vehicle washes which discharge to a waterway or the land.
- (3) Mobile washing of vehicle exteriors on the property of a vehicle owner which discharges to a waterway or the land. The mobile washer, not the property owner, has coverage in this case. However, in the case of washing fleet vehicles, the owner/operator of the fleet must obtain coverage.
- (4) Wash water that is 100% recycled - no discharge.

b. Facility Location

Within the geographic boundaries of the State of South Carolina.

c. Description of Applicant's Operation

Exterior vehicle washing activities.

d. Receiving Water Name

A covered discharge may discharge to any water body or on any land within the geographic boundaries of the State of South Carolina, as defined in SC Regulation 61-68, *Water Classification and Standards*.

e. Description of Existing Pollution Abatement Facilities

Covered discharges should require no treatment. It is the permittee's responsibility to ensure the pollutant discharge limitations are met. If treatment is necessary, the treatment system must be properly permitted by the Department prior to use. Although washing activities such as washing aircraft and construction equipment are not covered by this general permit, other permits such as an individual NPDES permit or approvals may be required. The Department should be consulted before conduct of washing activities.

f. Permitting Action

Reissuance of a General Permit for vehicle wash water discharges.

2. PROPOSED EFFLUENT LIMITATIONS

See Part X. of the General Permit.

3. RATIONALE FOR DETERMINING EFFLUENT LIMITATIONS

The Department's professional judgment and stream standards have been used to justify the permit limits.

- a. pH: The limits provide protection to stream standards based on discharge specific information and are consistent with South Carolina Water Classifications and Standards (Reg. 61-68 and Reg. 61-69).
- b. Total Suspended Solids (TSS): There is no stream standard for this parameter. The limits are based on the Department's professional judgment due to solids (especially soils) being removed from the vehicle during washing.
- c. Oil & Grease: The limits are based on the Department's professional judgment due to the likelihood of oils, greases, and other lubricating fluids being removed from the vehicle during washing.
- d. Surfactants: The monitor and report status is included in the permit due to the cleaning products used on the vehicles.

4. MONITORING REQUIREMENTS

- a. Measurement Frequency: The measurement frequency is once per quarter for each parameter and is stated in Part X. of the permit.
- b. Submission of Discharge Monitoring Reports (DMR's): The permittee must submit a summary once per year of the quarterly monitoring results obtained during the reporting period running from June to May. The DMR's should be postmarked no later than the 30th day of the following June. A separate DMR Form is required for each outfall. The data may be written on a photocopy of the original DMR form.

5. SCHEDULE FOR MEETING LIMITS

The permittee is to obtain compliance with the permit limitations and conditions on the effective date of the permit.

6. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE

See Part IX. of the general permit.

7. PERMIT DURATION

Five (5) years from the effective date of the permit.

8. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

a. Comment Period

The Department of Health and Environmental Control proposes to issue an NPDES permit to this applicant subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

Interested persons are invited to submit written comments on the permit application or on DHEC's proposed determinations to the following address:

SC Department of Health and Environmental Control
Bureau of Water/NPDES Administration
2600 Bull Street
Columbia, South Carolina 29201

All comments received from February 8, 2001 to March 9, 2001 will be considered in the formulation of final determinations with regard to this application.

b. Public Hearing

The Department of Health and Environmental Control Commissioner may hold a public hearing if there is a significant degree of public interest in a proposed permit or group of permits. Public notice of such a hearing will be circulated in newspapers in the geographical area of the discharge and to those on the DHEC mailing list at least thirty days prior to the hearing.

Following the public hearing, the Commissioner may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue or deny the permit. Notice of issuance or denial will be circulated to those who participated in the hearing and to appropriate persons on the DHEC mailing list.

If the permit is issued, it will become effective the first of the month following date of issuance and will be the final action of DHEC unless an adjudicatory hearing is granted.

c. Adjudicatory Hearings

Any person may submit a request for an administrative adjudicatory hearing to consider the final permit and its conditions. If you wish to request an administrative adjudicatory hearing, such request must be made in accordance with Regulation 61-72, Volume 25, S.C. Code of Laws, 1976, as amended, and the Rules of the Administrative Law Judge Division. The request must be filed with the Clerk of the South Carolina Board of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201 within fifteen (15) day following issuance of the permit. Service may be affected by personal delivery or by first class mail, but the request must be received by the Clerk on or before the fifteenth day.

The following information must be included in the request:

- (1) the name of the party or parties requesting the hearing;
- (2) the caption or other information sufficient to identify the permit, decision, order or other action or inaction which is the subject of the hearing;
- (3) the issues for which the hearing is requested; and
- (4) the relief requested.

A petition for review of a decision to issue a new permit stays all actions for which the permit is a prerequisite. A petition for review of a decision to reissue a permit stays the contested provisions of the permit; they will not become effective until the administrative review process is complete and the conditions of the permit will be considered issued and effective on the effective date set out in the permit and must be complied with by the facility.

Information pertaining to adjudicatory matters may be obtained by contacting the Legal Office of the Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina or by calling 803/898-3350.

d. Issuance of the Permit when no Hearings are Held

If no public hearing or adjudicatory hearing is held, and, after review of the comments received, DHEC's determinations are substantially unchanged, the permit will issue and become effective the first of the month following date of issue. This will be the final action of the Department of Health and Environmental Control.

If no hearings are held, but there have been substantial changes, public notice of DHEC's revised determination will be made. Following a 15-day comment period, the permit will be issued and become effective the first of the month following termination of the 15-day comment period and will be the final action of Department of Health and Environment Control, unless a public or adjudicatory hearing is granted.